



Attorney's Docket No.: US 1241/00

DECLARATION AND POWER OF ATTORNEY – ORIGINAL APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below beneath my name:

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which Letters Patent is sought on the invention entitled

**NETWORK BASED SYSTEM FOR REAL-TIME TRADING OF PHYSICAL
COMMODITIES**

the specification of which
(check one)

___ is attached hereto
X was filed on Dec. 28, 2000 as
Application S.N. 09/749,605
and was amended on _____

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by an amendment referred to above.

I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Sec. 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or Inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Claimed

(Number)	(Country)	(Day/Month/Year Filed)	YES	NO
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(Number)	(Country)	(Day/Month/Year Filed)	YES	NO
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I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

(Application Number)	(Filing Date)
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(Application Number)	(Filing Date)
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I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

(Application Ser. No.)	(Filing Date)	(Status)
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(patented,pending,abandoned)

(Application Ser. No.)	(Filing Date)	(Status)
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(patented,pending,abandoned)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Dinesh Agarwal, Reg. No. 31,809

SEND CORRESPONDENCE TO: Law Office - Dinesh Agarwal, P.C.
5350 Shawnee Road, Suite 330
Alexandria, VA 22312

DIRECT TELEPHONE CALLS TO Dinesh Agarwal (703) 642-9400

The undersigned hereby authorizes the U.S. attorney(s) or agent(s) named herein to accept and follow instructions from Ridout & Maybee as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney(s) or agent(s) and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney(s) or agent(s) named herein will be so notified by the undersigned.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of sole or first inventor: DONALD G. LeBLANC

Inventor's signature X  Date X 20/03/2001

Residence 1225 Lincoln Road, Fredericton, New Brunswick, Canada E3B 8J3

Citizenship Canadian

Post Office Address SAME AS ABOVE



Applicant or Patentee: Donald G. LeBlanc Attorney's
 Serial or Patent No.: Appln. No. 09/749,605 Docket No:
 Filed or Issued: Filed December 28, 2000 38942 0001
 Title: NETWORK BASED SYSTEM FOR REAL-TIME
TRADING OF PHYSICAL COMMODITIES

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS -
 (37 CFR 1.9(f) & 1.27(c)).. SMALL BUSINESS CONCERN

I hereby declare that I am

— the owner of the small business concern identified below:

X an official of the small business concern empowered to act on
 behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN McNutt Holdings Inc.,

ADDRESS OF SMALL BUSINESS CONCERN 364 York Street,

Suite 250,

FREDERICTON, N.B. E3B 3P7

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled NETWORK BASED SYSTEM FOR REAL-TIME TRADING OF PHYSICAL COMMODITIES by inventor(s) DONALD G. LEBLANC described in

— the specification filed herewith

X application serial no. 09/749,605 filed December 28, 2000

— patent no. _____ issued _____

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below and no rights to the invention are held by any person, other than the inventor(s), who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e). NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR 1.27).

NAME _____

ADDRESS _____

() INDIVIDUAL () SMALL BUSINESS CONCERN () NONPROFIT ORGANIZATION

NAME _____

ADDRESS _____

() INDIVIDUAL () SMALL BUSINESS CONCERN () NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1:28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING _____

DONALD LEBLANC

TITLE OF PERSON IF OTHER THAN OWNER _____

ADDRESS OF PERSON SIGNING _____

1225 Lincoln road

Frederick, New Brunswick

CPA, E3B 813

SIGNATURE _____

DATE

29-03-2001



Applicant or Patentee: Donald C. LeBlanc Attorney's
Serial or Patent No.: Appln. No. 09/749,605 Docket No:
Filed or Issued: Filed December 28, 2000 38942 0001
Title: NETWORK BASED SYSTEM FOR REAL-TIME
TRADING OF PHYSICAL COMMODITIES

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS -
(37 CFR 1.9(f) & 1.27(c)).. SMALL BUSINESS CONCERN

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on
behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN McNutt Lumber Company Ltd.
ADDRESS OF SMALL BUSINESS CONCERN 21 Alison Blvd.,
FREDERICTON, N.B.
B3C 2N5

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

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- ☐ the specification filed herewith
☒ application serial no. 09/749,605 filed December 28, 2000
☐ patent no. _____ issued _____

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NAME _____

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☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME _____

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NAME OF PERSON SIGNING

DONALD LEBLANC

TITLE OF PERSON IF OTHER THAN OWNER

ADDRESS OF PERSON SIGNING

1725 Lincoln Road
Fredrickton, New Brunswick
COA, E3B 8J3

SIGNATURE



DATE

29-03-2001